

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:22-cv-343-MOC

DOROTHY PAULINE STACY, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 MARTIN O'MALLEY, )  
 Commissioner of Social Security, )  
 )  
 Defendant. )

**ORDER**

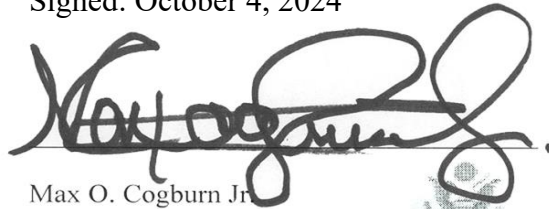
**THIS MATTER** is before the Court on Plaintiff's Motion for Attorney's Fees. (Doc. No. 24). Defendant does not oppose the requested amount of fees. Upon review of the materials, the Court finds that Plaintiff's request for attorney fees is reasonable. The motion is **GRANTED**.

It is hereby ordered that Plaintiff's attorney is awarded under 42 U.S.C. § 406(b) attorney's fees in the amount of \$31,008.42 less the \$13,192.21 previously paid to the Plaintiff's attorney under the Equal Access to Justice Act. Plaintiff's attorney has chosen to effectuate the EAJA refund by deducting the amount of the earlier EAJA award from his subsequent 42 U.S.C. § 406(b) fee request. The Court finds that a reduction in the fee award by \$13,192.21 is an appropriate and reasonable alternative to granting a full fee award but ordering counsel to reimburse Plaintiff with the lesser award amount.

2. Defendant shall pay from Plaintiff's past-due benefits directly to Plaintiff's attorney the amount of \$17,816.21 to Plaintiff's attorney for the net attorney's fees under the Social Security Act, 42 U.S.C. § 406(b) within a reasonable time.

**IT IS SO ORDERED.**

Signed: October 4, 2024

A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.", written over a horizontal line.

Max O. Cogburn Jr.  
United States District Judge

